



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: James A. Sievert

Application No. 09/727,612

File No: RA-5341

Docket No: USYS023.PA

Filed: 12/01/2002

Allowed: 03/01/2005

Examiner: Bullock, Lewis A. Jr.

Title: METHOD AND APPARATUS FOR IMPLEMENTING PERSISTENT DATA IN OBJECT ORIENTED PROGRAMS

**Certificate of Mailing under 37 CFR 1.8:** I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Services on the date shown below with sufficient postage as First Class mail in an envelope addressed to: Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. on this 17 day of March 2005.

By: M. A. Bullock

Signature

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee  
Commissioner for Patents  
P O Box 1450  
Alexandria, VA 22313-1450

Sir:

The Examiner's Statement of Reasons for Allowance implies that the claimed invention was allowed because the prior art did not disclose certain limitations found in the claims. The limitations characterized by the Examiner, however, if indeed found in the prior art, would not render the claimed invention invalid under 35 USC §102 because the claimed invention includes a number of limitations not addressed in the Reasons for Allowance. With respect to 35 USC §103, the rigors of establishing a *prima facie* case of obviousness include, not only a showing that the prior art teaches the entire claimed invention (all limitations are to be considered), but also that combining the various prior art references is suggested in the art, or that there would be motivation to make the combination. Unless Applicant hears otherwise, the comments herein are, as intended, clarifying in a manner consistent with the law.

Respectfully submitted,

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